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MEMO ENDORSED

VIA ECF

Honorable Valerie Caproni
United States District Court
Southern District of New York
500 Pearl Street
New York, NY 10007

RE: F.M., individually and on behalf of N.S. v. N.Y.C. Dep't of Educ.
1:21-cv-00020 (VEC)

Dear Judge Caproni,

I am the attorney for the Plaintiffs in the above-referenced action, wherein Plaintiff seeks attorneys' fees incurred in the administrative proceeding under the Individuals with Disabilities Education Act, 20 U.S.C. § 1400, *et seq.*, as well as the instant federal action, and a claim for implementation of relief awarded to Plaintiff as a result of the administrative proceeding.

I write jointly with Defendant's counsel in order to propose a briefing schedule pursuant to the Court's January 6, 2021, Notice of Initial Pretrial Conference (Docket No. 5). As the parties remain actively engaged in settlement discussions, have made significant progress towards resolving the implementation issue, and remain optimistic that this matter will be resolved through settlement, the parties jointly propose that the Court forgo the initial pretrial conference (IPTC) and propose the following briefing schedule:

- Plaintiff's motion for summary judgment will be due on July 1, 2021.
- Defendant's opposition will be due on July 22, 2021.
- Plaintiff's reply will be due on August 3, 2021.

The briefing schedule proposed above will afford the parties additional time to continue ongoing settlement negotiations and resolve the issue of implementation.

At this time, the parties do not believe that referral of this matter to the Magistrate Judge for a settlement conference would be beneficial. However, in the event the parties reach a point where they agree that such a conference may aid and advance settlement, the parties will submit a letter to the Court requesting that the matter be referred to the Magistrate Judge for a settlement conference.

Thank you for Your Honor's consideration of this request.

Respectfully submitted,

s/ Erin E. Murray

cc: Lana Koroleva (via ECF)
Attorney for the Defendant

Application GRANTED. The initial pretrial conference currently scheduled for April 2, 2021 is adjourned *sine die*. Plaintiff's Motion for Summary Judgment is due no later than **Thursday, July 1, 2021**, Defendant's response in opposition is due no later than **Thursday, July 22, 2021**, and Plaintiff's reply in support is due no later than **Tuesday, August 3, 2021**.

SO ORDERED.



Date: March 12, 2021

HON. VALERIE CAPRONI
UNITED STATES DISTRICT JUDGE